

CITY OF KINGMAN
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
Council Chambers
310 N. 4th Street
Kingman, Arizona

6:00 P.M.

Minutes

Tuesday January 12, 2016

Members Present:	Staff Present:	Visitors Signing In:
Allen Mossberg, Commission Chair	Gary Jeppson, Development Services Director	See attached list
Mike Blair, Commission Vice-Chair	Rich Ruggles, Principal Planner	
Tyler Angle, Commission Member	Sylvia Shaffer, Planner	
Mark Bailey, Commission Member	Sandi Fellows, Recording Secretary	
Gary Fredrickson, Commission Member		
Vickie Kress, Commission Member		
Dustin Lewis, Commission Member		
Council Liaison present:		
Mark Abram		

REGULAR MEETING MINUTES

CALL TO ORDER & ROLL CALL

Chair Mossberg called the meeting to order at 6:00 P.M. and welcomed new Commission members Mark Bailey and Gary Fredrickson. The Recording Secretary called the roll. All Commission members were present. The Pledge of Allegiance was led by Vice-Chair Blair and recited in unison.

1. APPROVAL OF MINUTES: The Regular Meeting Minutes of December 8, 2015.

Vice Chair Blair made a MOTION to APPROVE the Regular Meeting Minutes of December 8, 2015 as written. The MOTION was SECONDED by Commissioner Kress and the MOTION CARRIED with UNANIMOUS (7-0) APPROVAL to the affirmative.

2. CALL TO THE PUBLIC:

There were no comments.

3. ELECTION OF CHAIR AND VICE CHAIR FOR 2016:

Commissioner Kress made a MOTION to nominate Allen Mossberg for Commission Chair and Mike Blair for Vice-Chair of the Planning and Zoning Commission. The motion was SECONDED by Commissioner Lewis. There were no other motions or nominations. The motion CARRIED UNANIMOUSLY (7-0) in favor of the motion.

4. PAST COUNCIL ACTION:

- a. **CONDITIONAL USE PERMIT CASE CUP15-001:** A request from Matt Lockin of Snell & Wilmer L.L.P., applicant, and Carol Ott, property owner, for a conditional use permit to allow a Public Assembly Indoor, General use, specifically a church, within a portion of the Central Commercial building located on property zoned C-2: Commercial, Community Business. The subject property is located at 112 North Fourth Street and is further described as Kingman Townsite, Block 4, Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 & 22, containing 34,375 square feet.

Development Services Director Gary Jeppson reported that there was a motion for approval of the CUP for Central Christian Church at the City Council meeting, but it did not carry with a vote of 2 to 5, therefore the motion was defeated. There were no other motions.

- b. **CITY INITIATED CASE CI15-001:** A city-initiated request for a text amendment to the *Zoning Ordinance of the City of Kingman* by adding Section 18.000: KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT. This district is intended to provide for the development of business and service uses designed to meet the needs of the Kingman Crossing area south of Interstate-40. The text amendment will include a list of uses permitted by right and by conditional use permit as well as property development standards for this zoning district.

The Kingman Crossing Planned Development District is proposed to be applied to a city-owned parcel of land that is presently zoned R-R: Rural Residential. The property is 151-acres and is located on the south side of Interstate-40, north of the Airfield Avenue alignment, east of N. Sage Street, and west of the Cherokee Street alignment. The property is further described as a Portion of the South ½ of Section 9, T.21N., R.16W., G&SRM, Mohave County, Arizona.

Gary Jeppson reported that the text amendment was tabled with Council requesting further information on pole signs on the north side of Kingman Crossing, and discussion regarding murals.

- c. **CONDITIONAL USE PERMIT CASE CUP15-003:** A request from Robert E. and Judith D. Bennett, applicants and property owners, for a one-year renewal of a Conditional Use Permit (CUP) allowing the expansion of a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District. The subject property is 5 acres and is located along the south side of Hualapai Mountain Road east of Rosslynn Drive at 3442 Hualapai Mountain Road. The subject property is described as A Portion of the NE ¼, NE ¼ of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, AZ.

Mr. Jeppson reported that Council extended the CUP for the expansion of the mini-storage at 3442 Hualapai Mountain Road for one year.

5. OLD BUSINESS:

- A. **REZONING CASE RZ15-005:** A request from KTH Consulting, applicant, and Pioneer Title Trust No. 9099, property owner, for the modification of Ordinance No. 1189 by removing Condition "B" of this ordinance. The ordinance, passed in 1998, zoned the subject property R-1-20: Residential, Single Family, 20,000 square feet. However, Condition "B" required that any lots abutting Hualapai Foothill Estates to be at least 30,000 square feet. The removal of this condition would allow Lot 2, Block 4 Southern Vista III, Tract 6002, to be split into two parcels that are at least 20,000 square feet while maintaining the existing zoning designation of R-1-20. The subject site is 47,322 square feet (1.09 acres) and is located at 2406 Steamboat Drive.

Principal Planner Rich Ruggles addressed the Commission stating that the request was to modify Ordinance 1189 by removing Condition "B" of the ordinance as it applies to Lot 2, Block 4, Southern Vista III Tract 6002. The ordinance which was adopted in 1998, rezoned certain property in the area including the subject site to an R-1-20 zoning district. Mr. Ruggles explained that Condition "B" of Ordinance 1189 states that the minimum lot size in the zoning district shall not be less than 30,000 square feet for any lots that are adjacent to the eastern property boundary of the site. Mr. Ruggles stated that the minimum lot size for the R-1-20 zoning district is normally 20,000 square feet.

Mr. Ruggles went on to state that Condition "B" was included in the ordinance in response to concerns from residents in Hualapai Foothill Estates subdivision to the east of Southern Vista II that lots smaller than 30,000 square feet adjacent to their properties would decrease the property values of their 1-acre plus sized lots.

The purpose of removing the condition would be to allow Lot 2, Block 4, Southern Vista III Tract 6002, which is currently 47,322 square feet, to be split into two lots. Single family homes are proposed to be constructed on each lot. The splitting of the property would require the approval of a parcel plat in accordance with City of Kingman Municipal Code Section 2-146. Any new parcels created must be at least 20,000 square feet in size, and at least 100-feet in width at the minimum 20-foot front yard setback line.

Mr. Ruggles stated that on November 10, 2015, the Planning and Zoning Commission held a public hearing to consider the request to modify Ordinance 1189 to allow the subject parcel to be split. There were multiple comments from the public urging denial of the modification. The Commission voted five-to-one to recommend denial of the request. The Common Council held a public hearing to consider the request and voted five-to-one to send the request back to the Planning and Zoning Commission with a proposal showing how the subject property was intended to be split.

Mr. Ruggles stated that with the exception of the subject site and Lot 1 of Block 4, immediately to the north, Condition "B" of Ordinance 1189 is no longer applicable to any other properties due to other zoning changes that have occurred over the years. Mr. Ruggles acknowledged that a minimum lot size of 20,000 square feet would be more consistent with the R-1-20 minimum lot size requirements that are normally applied to other property within the zoning district. The proposed lot sizes will also conform to the Projected Land Use Map of the Kingman General Plan 2030 which indicates Low Density Residential, 1-2 dwelling units per acre on the subject property.

A drainage easement encumbers approximately 5,395 square feet of the northernmost portion of the existing 47,322 square foot property. This would leave an estimated area of about 41,927 square feet of developable property. The drainage easement will need to be left undeveloped and unblocked by fencing or other items. The City Engineer has commented on this situation and requested a drainage report that addresses drainage issues and impacts on the development of the property.

In response to the City Council's request, an exhibit showing the proposed lot split has been submitted, indicating that two lots would be created. The northern lot, Lot 2A, is proposed to be 26,731 square feet. Once the area of the drainage easement is subtracted this will leave 20,976 square feet of developable property. The southern lot, Lot 2B, is proposed to be 20,465 square feet. Both lots will be over 100-feet in width. Mr. Ruggles noted that the proposal will meet the requirements of the R-1-20 zoning district.

Mr. Ruggles further stated that the overall density of the area will not increase above one residence per 30,000 square feet even after the proposed lot split because the property owner deeded open space/drainage parcels to the City which are located along the eastern and southern sides of Lot 2. Mr. Ruggles explained that if the areas of Parcels B and C are included with the lot split that Lot 2A would be effectively 32,020 square feet while Lot 2B would be effectively 35,718 square feet. Mr. Ruggles noted that while it is not proposed that these parcels actually be incorporated into the proposed lots, it does show that the overall density will not exceed 30,000 square feet.

Mr. Ruggles noted that to the north of the subject site is vacant property zoned R-1-20, beyond which are one-acre single family home lots zoned R-1-40. To the east is Hualapai Foothill Estates with single family homes on property zoned R-1-40, and to the south is vacant property zoned R-1-20. To the west, across Steamboat Drive, are single family homes and vacant property zoned R-1-8, with single family homes on 8,000 square foot lot minimums.

Mr. Ruggles stated that the site was posted on October 23, 2015 and reposted on December 23, 2015. A public notice was published in the Kingman Daily Miner on October 25, 2015 and republished on December 27, 2015. Surrounding property owners within 300 feet were sent a notice of the public hearing. Four letters were received in opposition to the proposed changes. There were multiple comments in opposition to the proposal that were heard at the previous Planning and Zoning Commission meeting on November 10, 2015, as well as at the City Council meeting on December 1, 2015.

City departments and agencies have been notified. UniSource Electric has no objection to the rezone. Suddenlink stated that they have conduit in the public utility easement, and the rezone may require them to relocate some of the facilities, along with power and phone. They noted that the relocation costs of the existing facilities would need to be covered by the property/subdivision owner.

The City Building Department has no objections to the rezoning request. City Engineering noted that the subject site is surrounded on three sides by drainage easements and parcels. They acknowledged that they have been called on numerous drainage related complaints to this particular area of the subdivision. The Engineering Department is recommending that an updated drainage report be submitted showing building pad elevations and locations of any proposed block walls adjacent to the drainage easement. The drainage report should address any impacts that the drainage easement on Lot 2 and other adjacent drainage parcels and easements may have on zoning implications and any other development considerations.

Mr. Ruggles stated that decision options the Commission may wish to consider are:

1. Recommend approval of the request for a modification of Condition “B” of Ordinance Number 1189 by removing the condition as it applies to Lot 2, Block 4 Southern Vista III, Tract 6002 with the following conditions:
 - a. The subject property shall be permitted to be split into a maximum of two parcels with an approved parcel plat in accordance with Kingman Municipal Code Section 2-146 and Section 3.000: Residential Single Family of the Zoning Ordinance of the City of Kingman.
 - b. A drainage report shall be submitted with the parcel plat and shall address the drainage impacts on the development of the property and other adjacent drainage parcels and easements, as well as show the proposed building pad elevations and locations of any proposed block walls adjacent to the drainage easements.
2. Recommend denial of the request for a modification of Condition “B” of Ordinance Number 1189 by removing the condition as it applies to Lot 2, Block 4 Southern Vista III, Tract 6002.

Planning staff is recommending the approval of the request to remove Condition “B” of Ordinance 1189 on Lot 2, Block 4 Southern Vista III, Tract 6002 with the conditions in Decision Option 1.

Commissioner Kress asked if staff had any specifics on the numerous drainage complaints the City had received for the area. Mr. Ruggles stated that he did not have specifics regarding the complaints, but did know that the Engineering Department had concerns that any proposed development or downstream properties would not be impacted by drainage.

Kingman resident Allen Burgett addressed the Commission stating that he was concerned and dismayed that staff would recommend approval of the rezoning request. Mr. Burgett acknowledged that he had lived across from the subject site for eight years, and when it rains, the water from the Hualapai's floods the north part of Lot 2. He explained that the culvert cannot take the demand of water and causes flooding over the road and then backs up. Mr. Burgett urged the Commission to deny the rezoning request.

Kingman resident James Tatman addressed the Commission stating that he lives directly across from the drainage easement. Mr. Tatman stated that he has no problem with the lot being split, but what he does have a problem with is the City not keeping the culvert clear, causing it to fill with debris and impeding drainage.

Chair Mossberg stated that one letter had been received before the meeting today from Daniel Lordahl, urging denial of the request.

The applicant, Kathy Tackett-Hicks addressed the Commission stating that the developer did not have to dedicate the drainage easement to the City. Ms. Tackett-Hicks stated that none of the issues regarding drainage have anything to do with the lot split. She went on to state that having the developer provide an updated drainage report will benefit residents in the area. Ms. Tackett-Hicks clarified that the drainage easement was dedicated to the City, therefore the proposed subject site was not adjacent to the Hualapai Foothill Estates and the 30,000 square foot lot requirement. She noted that if the developer had not dedicated the easement to the City, there would be ample square footage for two 30,000 square foot lots.

Vice-Chair Blair noted that if the City has accepted the parcel for a drainage easement, then they should keep the culvert clear of debris.

Chair Mossberg stated that he had walked through the drainage easement, and did find the culvert full of dirt and rocks, and plugged by tumbleweeds. Chair Mossberg further stated that there have been no comments or concerns from the public that reside below the subject site, where the greatest impact from drainage would occur.

Commissioner Lewis noted that owners of a smaller property may not complain as readily as owners of the larger parcels, who may be concerned about a reduction in property value.

Commissioner Kress made a MOTION to DENY the request to rezone. The motion was SECONDED by Vice-Chair Blair. The MOTION CARRIED with a vote of (4-3) in favor of denial.

6. NEW BUSINESS:

- A. **ANNUAL REPORT LUNCHEON:** Consideration of setting a date and determining a location for the Planning and Zoning Commission's 2015 Annual Report Luncheon.

After some discussion Commission members selected Canyon 66 Restaurant for their Annual Report Luncheon, meeting at 11:00 AM on Tuesday February 16th, 2016. The Recording Secretary was requested to make the arrangements.

- 7. COMMISSIONERS COMMENTS:** Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings and requests for reports from staff.

Commissioners thanked Allen Mossberg and Mike Blair for continuing the role of Chair and Vice-Chair for the Commission, and thanked new Commission members Gary Fredrickson and Mark Bailey for their willingness to serve.

Vice-Chair Blair made a MOTION to adjourn. The motion was SECONDED by Commissioner Kress, and the motion CARRIED UNANIMOUSLY (7-0). Chair Mossberg declared the meeting adjourned at 6:49:23 P.M.

ADJOURNMENT 6:49:23 PM

ATTEST:

APPROVED:

Sandi Fellows
Recording Secretary

Gary Jeppson
Development Services Director

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF PLANNING AND ZONING COMMISSION MINUTES:

I, Sandi Fellows, Planning and Zoning Administrative Assistant and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Planning and Zoning Commission of the City of Kingman held on January 12, 2016.

February 9, 2016